

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.) No.: 3:12-CR-101-TAV-CCS-12
)
KERRY FLOYD,)
)
Defendant.)

MEMORANDUM OPINION AND ORDER

This criminal case is before the Court on the defendant's *pro se* motion for early termination of supervised release [Doc. 812]. The defendant pleaded guilty to conspiracy to distribute and possess with intent to distribute cocaine [Doc. 213], and the Court sentenced him to twenty-five months' imprisonment, followed by three years of supervised release [Doc. 389].

The defendant has filed a request for early termination of his supervised release [Doc. 812], in which he notes that he has maintained full-time employment since release, has never missed child-support payments, and has stayed away from individuals involved with drugs [*Id.* at 1]. The defendant also notes that he desires to change his employment to a position that requires frequent interstate travel [*Id.* at 2]. The government and the U.S. Probation Office have informed the Court that they do not oppose early termination of the defendant's term of supervised release.

Section 3583(e)(1), United States Code, title 18, provides that:

The court may, after considering the factors set forth in section 3553(a)(1), (a)(2)(B), (a)(2)(C), (a)(2)(D), (a)(4), (a)(5), (a)(6), and (a)(7)--

- (1) terminate a term of supervised release and discharge the defendant released at any time after the expiration of one year of supervised release, pursuant to the provisions of the Federal Rules of Criminal Procedure relating to the modification of probation, if it is satisfied that such action is warranted by the conduct of the defendant released and the interest of justice[.]

18 U.S.C. § 3583(e)(1).

After carefully considering the requirements of the statute, the Court finds that the relevant portions of 18 U.S.C. § 3553(a) support early termination of the defendant's supervised release. In support of this determination, the Court notes that the defendant has completed more than one-half of his term of supervised release. In addition, it appears that the defendant has been taking steps to improve his prospects for the future.

In sum, the Court "is satisfied that [early termination] is warranted by the conduct of the defendant released and the interest of justice," 18 U.S.C. § 3583(e)(1), and hereby **GRANTS** the defendant's motion [Doc. 812]. The defendant's supervised release is hereby **TERMINATED**.

IT IS SO ORDERED.

s/ Thomas A. Varlan
CHIEF UNITED STATES DISTRICT JUDGE